

VIRGINIA'S OLMSTEAD INITIATIVE

Community Integration for People with Disabilities

What is Olmstead?

In 1999 the U.S. Supreme Court ruled in *Olmstead v L.C.* that unjustified isolation of people with disabilities is properly regarded as discrimination under Title II of the Americans with Disabilities Act (ADA) AND that states have a duty to provide community-based services for people with disabilities if 1) they do not object, 2) it is appropriate for them to live in the community, and 3) the state can reasonably accommodate the placement.

Who is affected by Olmstead?

Under Title II of the ADA, the Olmstead decision and cases that have followed, the "community integration" mandate applies to qualified people with all types of disabilities.

What is Virginia doing?

In 2002 Virginia convened a Task Force composed largely of people with disabilities, family members and advocacy organizations. The Task Force presented its final report in September 2003, providing 201 recommendations for Virginia to improve its services to people with disabilities, 34 of which have already been implemented. The report details actions suggested in several areas, including affordable and accessible housing, public transportation, access to services and supports, employment opportunities, and rights.

"If people with disabilities are able to live independently in the community, they should have the freedom to do so. In light of the Olmstead decision, it's time to examine all State policies affecting persons with disabilities and to help them live in the setting that is most appropriate for their needs. Our top priority should be to help all Virginians have the opportunity to live with as much dignity and independence as possible."

– **Mark Warner, Governor of Virginia**

Governor Warner issued Executive Order 61 in January 2004, creating an Oversight Advisory Committee - with a majority membership of people with disabilities and family members - to monitor Olmstead implementation. A state agency Implementation Team was charged with costing out the Task Force recommendations, and the Office of Community Integration for People with Disabilities was established to coordinate these efforts. Under Executive Order 84 (2005), the Team and Committee are working together to prioritize and update the recommendations in addition to their original mandates.

Where can I get more information?

Please visit Virginia's Olmstead Initiative website at www.olmsteadva.com.